

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOHN ANTHONY ADAMS, #592579,

Petitioner,

v.

CASE NO. 2:13-CV-10735  
HONORABLE GEORGE CARAM STEEH

LINDA TRIBLEY,

Respondent.

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**ORDER DENYING MOTION FOR  
APPOINTMENT OF COUNSEL (DKT. NO. 2)**

Michigan prisoner John Anthony Adams ("Petitioner") has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Respondent has been served with the petition and an answer to the petition is due on August 26, 2013. This matter is before the Court on Petitioner's motion for appointment of counsel. In support of his motion, Petitioner states that he is unschooled in the law, that he cannot afford counsel, that his claims are meritorious, and that he seeks an evidentiary hearing.

Petitioner, however, has no absolute right to be represented by counsel on federal habeas corpus review. *Abdur-Rahman v. Michigan Dept. of Corrections*, 65 F.3d 489, 492 (6th Cir. 1995); *see also Wright v. West*, 505 U.S. 277, 293 (1992) (citing *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987)). "[A]ppointment of counsel in a civil case is . . . a matter within the discretion of the court. It is a privilege and not a right." *Childs v. Pellegrin*, 822 F.2d 1382, 1384 (6th Cir. 1987) (quoting *United States v. Madden*, 352 F.2d 792, 793 (9th Cir. 1965)). Neither discovery nor an evidentiary hearing are necessary at this time, and

the interests of justice do not require appointment of counsel. See 18 U.S.C. § 3006A(a)(2)(B); 28 U.S.C. foll. § 2254, Rules 6(a) and 8(c). Accordingly, the Court **DENIES WITHOUT PREJUDICE** Petitioner's motion for appointment of counsel. The Court will bear in mind Petitioner's request if, following a review of Respondent's answer and the state court record, the Court determines that appointment of counsel is necessary. Petitioner need not file an additional motion concerning this issue.

**IT IS SO ORDERED.**

Dated: February 27, 2013

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on February 27, 2013, by electronic and/or ordinary mail and also on John Adams, #592579, Ojibway Correctional Facility, N5705 Ojibway Road, Marenisco, MI 49947.

s/Barbara Radke  
Deputy Clerk